

**IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA**

IN THE MATTER OF APPLICATIONS 53987)	
THROUGH 53992, INCLUSIVE, FILED TO)	
APPROPRIATE THE UNDERGROUND)	
WATERS OF THE CAVE VALLEY, DRY)	REBUTTAL EVIDENTIARY
LAKE VALLEY AND DELAMAR VALLEY)	EXCHANGE AND WITNESS LIST
HYDROGRAPHIC BASINS (180, 181, 182))	
LINCOLN COUNTY, NEVADA)	

Carter-Griffin Inc. d.b.a. Carter Cattle Co.; County of Inyo, California; County of White Pine, Nevada; Gardner's Quarter Circle 5 Ranch; Frank Delmue; Debra Whipple (who filed her protest under her previous, married, name of Debra Lani); James I. Lee; Mick and Lynn Lloyd; Lund Irrigation & Water Co.; Nevada Cattlemen's Association, Eastern Unit; Chester R. Johnson; Preston Irrigation Company; Toiyabe Chapter of the Sierra Club; Town of Alamo Water and Sewer Board; and John M. Wadsworth (collectively the "Protestants") now submit their rebuttal exhibit list, witness list with summaries of witness testimony, and copies of documentary evidence intended to be introduced into the hearing record.

Witness List and Summary of Witness Testimony

1. Tom Meyers, Ph.D. Dr. Meyers will present testimony as to his expert opinion regarding the effect that the groundwater applications would have on the hydrology of Cave, Dry Lake, and Delamar Valleys and surrounding valleys. Rebuttal to SNWA Witness nos. 1, 2 (Kenneth Albright), 3-4, 6-8. See CV at Exhibit No. 1102.
2. John D. Bredehoeft, Ph.D. Dr. Bredehoeft will present testimony as to his expert opinion regarding the effect that the groundwater applications would have on the hydrology of Cave, Dry Lake, and Delamar Valleys and surrounding valleys. Rebuttal to SNWA Witness Nos. 1, 2 (Kenneth Albright), 3-4, 6-8. See CV at Exhibit No. 1131.
3. James Everett Deacon, Ph.D. Dr. Deacon will present testimony as to his expert opinion regarding the effect that the groundwater applications would have on the aquatic and terrestrial

ecology of Cave, Dry Lake, and Delamar Valleys and surrounding valleys. Rebuttal to SNWA Witness No. 5. See CV at Exhibit No. 1141.

4. David Alan Charlet, Ph.D. Dr. Charlet will present testimony as to his expert opinion regarding the effect that the groundwater applications would have on the terrestrial ecology of Cave, Dry Lake, and Delamar Valleys and surrounding valleys, with particular emphasis on the flora of those valleys, but also as to the fauna which depend on the flora of those valleys. Rebuttal to SNWA Witness No. 5. See CV at Exhibit No. 1151.

5. J.J. Goicoechea, D.V.M., Nevada Cattlemen's Association. Dr. Goicoechea will present testimony concerning potential impacts of the proposed appropriation and export of groundwater on senior water rights and the viability of ranching and farming in eastern Nevada. Rebuttal to SNWA Witness Nos. 1-8.

6. Roderick McKenzie, President, Lund Irrigation Company. Mr. McKenzie will present testimony regarding the water rights and water usage of the Lund Irrigation Company and its shareholders, the behavior of wells and springs, the presence of water dependent wildlife, and residential and economic development in the Lund area of White River Valley, and how the groundwater applications and proposed interbasin transfer of groundwater would harm the public interest. Rebuttal to SNWA Witness Nos. 1-8.

7. Bruce A. Jensen. Mr. Jensen will present testimony regarding the nature and use of their water rights and property in White River and Cave Valleys, the condition of groundwater-dependent water sources in those valleys, and how the groundwater applications and proposed interbasin transfer of groundwater would harm their private property rights and the public interest. Rebuttal to SNWA Witness Nos. 1-8.

8. Steven Carter. Mr. Carter will present testimony regarding the nature and use of Carter Griffin Inc.'s water rights and property in White River and Cave Valleys, the condition of groundwater-dependent water sources in those valleys, and how the groundwater applications and proposed interbasin transfer of groundwater would harm their private property rights and the public interest. Rebuttal to SNWA Witness Nos. 1-8.

9. Jeff or Van Gardner. One of the Gardners will present testimony regarding the nature and use of the Quarter Circle Five Ranch's water rights and property in White River and Cave Valleys, the condition of groundwater-dependent water sources in those valleys, and how the groundwater applications and proposed interbasin transfer of groundwater would harm their private property rights and the public interest. Rebuttal to SNWA Witness Nos. 1-8.

10. Timothy J. Durbin, P.E. Mr. Durbin will provide testimony concerning the nature and likelihood of impacts in the target valleys and hydrologically connected downgradient valleys. Rebuttal to SNWA Witness Nos. 1, 2 (Kenneth Albright), 3-4, 6-8. See CV at Exhibit No. 1240.

Pursuant to NAC 533.270, Protestants hereby request that the State Engineer subpoena Mr. Durbin to testify at the Cave, Dry Lake, and Delmar Valleys hearing for the following reasons. Mr. Durbin has highly relevant, probative evidence to provide to the State Engineer through testimony, which will rebut the hydrologic evidence submitted by SNWA in its initial evidentiary submission. This fact was made known to Protestants only after the parties' initial evidentiary exchange on November 16, 2007. Mr. Durbin has indicated that he is willing to testify only if subpoenaed by the State Engineer.

List of Exhibits

1200 Tom Myers report: Review and Rebuttal of SNWA Submissions in Support of Applications for Groundwater from Cave, Dry Lake, and Delamar Valleys

1210 John Bredehoeft report: Impacts of Proposed SNWA Groundwater Development Cave, Dry Lake, and Delamar Valleys, White Pine and Lincoln Counties, Nevada, Review of SNWA Hydrogeology Reports

1211 John Bredehoeft data files for 2006 Durbin model (CDs)

1220 James Deacon report: Rebuttal to Biological Evidence on Wetland Dependent Sensitive Species Submitted by SNWA in Support of Applications for Groundwater Withdrawal in Cave, Dry Lake, and Delamar Valleys

1230 David Charlet report: Response to Evidence on Terrestrial Ecosystems Presented by SNWA in the matter of the Groundwater Development in Cave Valley, Dry Lake Valley, and Delamar Valley, Applications 53987 through 53992, Inclusive

1240 Timothy Durbin CV

1250 Carter-Griffin Ranch Company summary of water rights and water usage

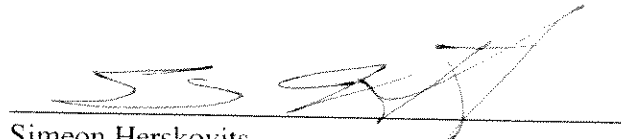
1251 Gardner Quarter Circle 5 Ranch summary of water rights

1252 Jensen/Sunnyside Ranch summary of water rights


1253 Lund Irrigation Company description of water rights, water usage, potential effects on senior water rights, ranching, farming, and wildlife from SNWA's proposed appropriations and export of groundwater from the target valleys

1254 Lund Irrigation Company map and summary of springs in White River Valley

Respectfully submitted December 20, 2007



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CERTIFICATE OF SERVICE

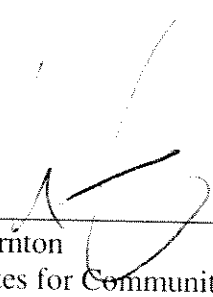
I certify that on December 20, 2007, I mailed a copy of this document and copies of the associated documentary evidence on computer disk and/or hard copy to the following by First-Class, U.S. Mail or overnight delivery service:

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